IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

APPEAL FROM ORDER NO.429 OF 2005.

Shri Vinod Vishanji Dharod : Appellant.

versus

Fedroline Anthoney Joseph

Andrades and ors. : Respondents.

Mr.A.A.Kumbhokoni with Mr.H.V.Kode for the appellant.

Mr.Menezes i/by Mr.R.P.Mudholkar for respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 4th April 2005.

ORAL ORDER

1. This Appeal is filed by the original plaintiff against rejection of his prayers in the motion. Both the advocates agree and concede that the issue of possession has not been dealt with and decided by the Court. Therefore, by

consent, the impugned order is set aside. The matter is remanded back to the lower Court who will decide the issue and the motion after hearing both the sides. Till then parties to maintain status quo. Appeal is disposed of. All the contentions are kept open.

[D.G.DESHPANDE]

04/04/2005 JUDGE.